Petitioners

* DEPUTY ZONAL COMMISSIONER * OF BALTIMORE COUNTY

3rd Councilmanic District * Case No. 89-218-A Paul B. Yanchus, Jr., et ux

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1.

The Petitioners, by Paul Yanchus, Jr., appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1209 Rayville Road, is zoned R.C.5 and is currently improved with a single family dwelling. Petitioners propose constructing a detached garage in the side yard at the end of an existing driveway. Due to the location of the septic system and the extreme slope of the rear yard, the proposed garage cannot be constructed without the requested variance. Petitioner testified that the granting of the variance will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with

PAUL AND STEPHANIE YANCHUS

ZONING DESCRIPTION

On the south side of Rayville Road, lot #4 in subdivision of Rayville.

District.

Book #39, Folio 1. Also known as 1209 Rayville Road in the 6th Election

1209 RAYVILLE ROAD

PARKTON, ND 21120

the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this W/ 00 day of December, 1988 that the Petition for Variance to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief grant-

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facil-

> (in Masterowice ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 16, 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on Nov 16 . 19 88

> THE JEFFERSONIAN TOWSON TIMES.

5. Zehe Orlina

PO 05863 mg M20436 case 89-218-1 price \$74.68

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 XXXXXX 887-3353 J. Robert Haines

December 21, 1988

Mr. & Mrs. Paul B. Yanchus, Jr. 1209 Rayville Road Parkton, Maryland 21120

RE: PETITION FOR ZONING VARIANCE S/S Rayville Road, 2607' NE of Dairy Road (1209 Rayville Road) 6th Election District - 3rd Councilmanic District Paul B. Yanchus, Jr., et ux - Petitioners Case No. 89-218-A

Dear Mr. Howard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

an MNatrowia ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Date: 12/2/88

Dennis F. Rasmussen

Dennis F. Rasmussen

AMN:bjs

cc: People's Counsel

File

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Mr. & Mrs. Paul B. Yanchus, Jr. 1209 Rayville Road

Parkton, Maryland 21120 Re: Petition for Zoning Variance CASE NUMBER: 89-218-A SS Rayville Road, 2607' NE Dairy Road (1209 Rayville Roa d) 6th Election District - 3rd Councilmanic

Petitioner(s): Paul B. Yanchus, Jr., et ux

HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1988 at 2:00 p.m.*

Dear Mr. & mrs. Yanchus:

is due for advertising and posting of Please be advised that _______ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before The state of the s

BALT!MORE COUNTY, MARYLAND or each set not OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 1-01-615.000

B B 25200000392000 889-218-A VALIDATION OR SIGNATURE OF CASHIE DISTRIBUTION VALIDATION Q
WHITE - CASHER PINK - AGENCY YELOW - CUSTOMER

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 To allow an accessory structure (detached garage) to be located in the side yard in lieu of the required

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To build a <u>detached</u> garage at the end of our driveway next to our personal DATE 2-8-8 residence--cannot be built in back of our house because of the severe slope of land and location of the septic system.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser: PAUL B. YANCHUS, JR (Tobe or Print Name) (Type or Print Name) STEPHANIE J. YANCHUS (Type or Print Name) Address City and State

Attorney for Petitioner: 343-1083 (Type or Print Name) PARKTON, ND 21120 Name, address and phone number of legal owner, contract purchaser or representative to be contacted PAUL B. YANCHUS, JR. City and State 1209 RAYVILLE ROAD, PARKTON, MD 343-1083

ORDERED By The Zoning Commissioner of Baltimore County, this _____day County, on the day of December, 1988, at 2 o'clock

Zoning Commissioner of Baltimore County.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

Attorney's Telephone No.: _____

J. Robert Haines

NOTICE OF HEARING

October 28, 1988

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson. Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-218-A 55 Rayville Road, 2607' NE Dairy Road (1209 Rayville Roa d) 6th Election District - 3rd Councilmanic Petitioner(s): Paul B. Yanchus, Jr., et ux HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1988 at 2:00 p.m.*

Variance to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, he ever, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Polity frince J. ROBERT HAINES

Zoning Commissioner of Baltimore County cc: Mr. & Mrs. Paul B. Yanchus, Jr.

*NOTE: IF PHASE II OF THE SNOW EMER-BENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEAR-ING, SUCH HEARING WILL BE PUST-PONED AND TENTATIVELY RESCHEDUL-ED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELEPHONE DOCKET CLERK AT 494-3391 or 887-3391TO

89-218-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting Morember 21.1988 Petitioner: Paul B. Yanehus, Jr. et up

Location of property S. S. Rayrille Road, 2407 Dairy Road

Lizo 9 Rayrille Road

Location of Signs: South side of Rayrille Road at entrance to

subject grouperty

Remarks: Date of return Movember 25, 1988

The Zorang Commensioner of Baltimore
County, by authority of the Zorang Act
and Regulations of Baltimore County
will hold a public hisering on the proparty identified harvin in Roose 108 of
the County Office Baltimore in Roose
111 W. Chesapeelin Avenue in
Towart. Maryland as follows:
Puttless for Zorang Variance
Case Number: 88-218-A
SS Rayville Road; 2007 NE
Dairy Road (1200 Rayville Road)
6th Eschon Detrict-3nd Councilments
Pattlements: Paul B. Yanchus, Jr., et ur.
Hearing Schedulet: FRIDAY, DECEMBER 8, 1986 at 2:90 p.m.*
Variance to allow an accusancy structure (estached gerage) to be located in

pard.

THE PHASE IF OF SNOW EMERGENCY PLAN IS IN EFFECT ON THIS DATE. CASE WILL BE RESCHEDULED. CALL 404-3391 or 407-3391 TO CONFIRM OATE. In the event that this Position is gravhed, a building purmit may be smand within the Shify (30) day appeal posted. The Zening Commissions will, however entertain any sequent for a stay of the features of said permit during this padded for good come steam. Such equations.

quest must be in unting and received in this office by the date of the hearing sat above or presented at the hearing. J. ROBERT HAINES

Zoning Commissioner o Baltimore Count 11/504 Nov. 17

nd post set(s), there

CONFIRM DATE.











